

ginia, of a quantity of ground mace, and on or about October 31, 1923, and January 16, 1924, from the State of Maryland into the District of Columbia, of quantities of ground ginger and ground nutmeg, respectively, all of which were misbranded. The articles were labeled in part: "McCormick's Bee Brand \* \* \*  $\frac{3}{4}$  Oz. Net Absolutely Pure Ground Mace" (or "4 Oz. Absolutely Pure Ground Ginger" or "4 Oz. Absolutely Pure Ground Nutmeg") "McCormick & Co., Spice Importers and Grinders."

Examination by the Bureau of Chemistry of this department of a sample of each of the articles showed that: 72 packages of the ground mace averaged 0.65 ounce; 12 packages of the ground ginger averaged 3.90 ounces; and 48 packages of the ground nutmeg averaged 3.76 ounces.

Misbranding of the article was alleged in the information for the reason that the respective statements " $\frac{3}{4}$  Oz. Net" and "4 Oz.," borne on the cans containing the articles, were false and misleading, in that the said statements represented that the cans contained  $\frac{3}{4}$  ounce or 4 ounces of the respective articles, as the case might be, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans contained  $\frac{3}{4}$  ounce or 4 ounces of the respective articles, as the case might be, whereas the said cans did not contain the amounts of the respective articles declared thereon but did contain less amounts. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 29, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$75 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13428. Misbranding of cottonseed meal. U. S. v. George Emmett Light and David Walker Light (Pilot Point Oil Mill). Pleas of guilty. Fines, \$20. (F. & D. No. 19605. I. S. No. 22003-v.)**

On May 7, 1925, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Emmett Light and David Walker Light, copartners, trading as Pilot Point Oil Mill, Pilot Point, Tex., alleging shipment by said defendants, in violation of the food and drugs act, on or about May 16, 1924, from the State of Texas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: "43 per cent Protein Cotton Seed Meal Prime Quality Manufactured by Pilot Point Oil Mill Pilot Point, Texas Guaranteed Analysis Crude Protein, Not Less Than 43.00 per ct."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the said sample contained 39.84 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "43 per cent Protein Cotton Seed Meal" and "Guaranteed Analysis Crude Protein, Not Less Than 43.00 per ct.," borne on the tags attached to the sacks containing the article, were false and misleading, in that the said statements represented that the article contained not less than 43 per cent of crude protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of crude protein, whereas it did contain less than 43 per cent of crude protein, to wit, 39.84 per cent of crude protein.

On May 18, 1925, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10 against each of the two defendants.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13429. Adulteration and misbranding of jam. U. S. v. 268 Cartons of Jam. Decree of condemnation and forfeiture. Product released to claimant to be relabeled. (F. & D. No. 19844. I. S. Nos. 22996-v, 22997-v. S. No. C-4660.)**

On February 26, 1925, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 268 cartons of jam, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Hudson Valley Pure Food Co., Highland, N. Y., on or about September 23, 1924, and transported from the State of New York into the State of Mis-

souri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Hudsonvale Brand Pure Strawberry" (or "Raspberry") "Jam Hudson Valley Pure Food Co., Inc. Highland, \* \* \* N. Y."

Adulteration of the article was alleged in the libel for the reason that a product deficient in fruit and containing excess sugar had been substituted wholly or in part for the said article, and in that the product contained added tartaric acid.

Misbranding was alleged in that the statements "Strawberry Jam" and "Raspberry Jam," as the case might be, appearing in the labeling, were false and misleading and deceived and misled the purchaser, and in that the added tartaric acid was not declared. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On April 22, 1925, the United Drug Co., St. Louis, Mo., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon its being relabeled under the supervision of this department and upon payment of the costs of the proceedings.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13430. Adulteration of oranges. U. S. v. 98 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19847. I. S. No. 21125-v. S. No. W-1681.)**

On March 5, 1925, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 98 boxes of oranges, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by A. M. Crapp, from Wilmington, Calif., on or about February 18, 1925, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fairest Brand Grown And Packed By Glen Rosa Orchards, Inc. Main Office, Riverside, California."

Adulteration of the article was alleged in the libel for the reason that a substance, an inedible product, had been substituted wholly or in part for normal oranges of good commercial quality.

On May 16, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13431. Adulteration and misbranding of apple jelly. U. S. v. 7 Pails of Apple Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19879. I. S. No. 13925-v. S. No. E-5149.)**

On March 10, 1925, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 7 pails of apple jelly, remaining in the original unbroken packages at Providence, R. I., alleging that the article had been shipped by the Logan-Johnson Co., from Boston, Mass., on or about February 9, 1925, and transported from the State of Massachusetts into the State of Rhode Island, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Manhattan Club Jelly Apple Made From Fruit, Pectin and Gran. Sugar Prepared And Guaranteed By Logan-Johnson Ltd. Boston, Mass."

Adulteration of the article was alleged in the libel for the reason that a substance, pectin jelly containing glucose, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Jelly Apple Made From Fruit, Pectin and Gran. Sugar" was false and misleading and deceived and misled the purchaser.

On May 20, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*